



Rep. Emanuel Chris Welch

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1 AMENDMENT TO SENATE BILL 2226

2 AMENDMENT NO. _____. Amend Senate Bill 2226, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. This Act may be referred to as the Protect
6 Illinois Communities Act.

7 Section 5. The Illinois State Police Law of the Civil
8 Administrative Code of Illinois is amended by changing
9 Sections 2605-35 and 2605-51.1 as follows:

10 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

11 Sec. 2605-35. Division of Criminal Investigation.

12 (a) The Division of Criminal Investigation shall exercise
13 the following functions and those in Section 2605-30:

14 (1) Exercise the rights, powers, and duties vested by
15 law in the Illinois State Police by the Illinois Horse

1 Racing Act of 1975, including those set forth in Section
2 2605-215.

3 (2) Investigate the origins, activities, personnel,
4 and incidents of crime and enforce the criminal laws of
5 this State related thereto.

6 (3) Enforce all laws regulating the production, sale,
7 prescribing, manufacturing, administering, transporting,
8 having in possession, dispensing, delivering,
9 distributing, or use of controlled substances and
10 cannabis.

11 (4) Cooperate with the police of cities, villages, and
12 incorporated towns and with the police officers of any
13 county in enforcing the laws of the State and in making
14 arrests and recovering property.

15 (5) Apprehend and deliver up any person charged in
16 this State or any other state with treason or a felony or
17 other crime who has fled from justice and is found in this
18 State.

19 (6) Investigate recipients and providers under the
20 Illinois Public Aid Code and any personnel involved in the
21 administration of the Code who are suspected of any
22 violation of the Code pertaining to fraud in the
23 administration, receipt, or provision of assistance and
24 pertaining to any violation of criminal law; and exercise
25 the functions required under Section 2605-220 in the
26 conduct of those investigations.

1 (7) Conduct other investigations as provided by law,
2 including, but not limited to, investigations of human
3 trafficking, illegal drug trafficking, and illegal
4 firearms trafficking.

5 (8) Investigate public corruption.

6 (9) Exercise other duties that may be assigned by the
7 Director in order to fulfill the responsibilities and
8 achieve the purposes of the Illinois State Police, which
9 may include the coordination of gang, terrorist, and
10 organized crime prevention, control activities, and
11 assisting local law enforcement in their crime control
12 activities.

13 (10) Conduct investigations (and cooperate with
14 federal law enforcement agencies in the investigation) of
15 any property-related crimes, such as money laundering,
16 involving individuals or entities listed on the sanctions
17 list maintained by the U.S. Department of Treasury's
18 Office of Foreign Asset Control.

19 (b) (Blank).

20 (c) The Division of Criminal Investigation shall provide
21 statewide coordination and strategy pertaining to
22 firearm-related intelligence, firearms trafficking
23 interdiction, and investigations reaching across all divisions
24 of the Illinois State Police, including providing crime gun
25 intelligence support for suspects and firearms involved in
26 firearms trafficking or the commission of a crime involving

1 firearms that is investigated by the Illinois State Police and
2 other federal, State, and local law enforcement agencies, with
3 the objective of reducing and preventing illegal possession
4 and use of firearms, firearms trafficking, firearm-related
5 homicides, and other firearm-related violent crimes in
6 Illinois.

7 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;
8 102-1108, eff. 12-21-22.)

9 (20 ILCS 2605/2605-51.1)

10 (Section scheduled to be repealed on June 1, 2026)

11 Sec. 2605-51.1. Commission on Implementing the Firearms
12 Restraining Order Act.

13 (a) There is created the Commission on Implementing the
14 Firearms Restraining Order Act composed of at least 12 members
15 to advise on the strategies of education and implementation of
16 the Firearms Restraining Order Act. The Commission shall be
17 appointed by the Director of the Illinois State Police or his
18 or her designee and shall include a liaison or representative
19 nominated from the following:

20 (1) the Office of the Attorney General, appointed by
21 the Attorney General;

22 (2) the Director of the Illinois State Police or his
23 or her designee;

24 (3) at least 3 State's Attorneys, nominated by the
25 Director of the Office of the State's Attorneys Appellate

1 Prosecutor;

2 (4) at least 2 municipal police department
3 representatives, nominated by the Illinois Association of
4 Chiefs of Police;

5 (5) an Illinois sheriff, nominated by the Illinois
6 Sheriffs' Association;

7 (6) the Director of Public Health or his or her
8 designee;

9 (7) the Illinois Law Enforcement Training Standards
10 Board, nominated by the Executive Director of the Board;

11 (8) a representative from a public defender's office,
12 nominated by the State Appellate Defender;

13 (9) a circuit court judge, nominated by the Chief
14 Justice of the Supreme Court;

15 (10) a prosecutor with experience managing or
16 directing a program in another state where the
17 implementation of that state's extreme risk protection
18 order law has achieved high rates of petition filings
19 nominated by the National District Attorneys Association;

20 ~~and~~

21 (11) an expert from law enforcement who has experience
22 managing or directing a program in another state where the
23 implementation of that state's extreme risk protection
24 order law has achieved high rates of petition filings
25 nominated by the Director of the Illinois State Police;

26 and

1 (12) a circuit court clerk, nominated by the President
2 of the Illinois Association of Court Clerks.

3 (b) The Commission shall be chaired by the Director of the
4 Illinois State Police or his or her designee. The Commission
5 shall meet, either virtually or in person, to discuss the
6 implementation of the Firearms Restraining Order Act as
7 determined by the Commission while the strategies are being
8 established.

9 (c) The members of the Commission shall serve without
10 compensation and shall serve 3-year terms.

11 (d) An annual report shall be submitted to the General
12 Assembly by the Commission that may include summary
13 information about firearms restraining order use by county,
14 challenges to Firearms Restraining Order Act implementation,
15 and recommendations for increasing and improving
16 implementation.

17 (e) The Commission shall develop a model policy with an
18 overall framework for the timely relinquishment of firearms
19 whenever a firearms restraining order is issued. The model
20 policy shall be finalized within the first 4 months of
21 convening. In formulating the model policy, the Commission
22 shall consult counties in Illinois and other states with
23 extreme risk protection order laws which have achieved a high
24 rate of petition filings. Once approved, the Illinois State
25 Police shall work with their local law enforcement agencies
26 within their county to design a comprehensive strategy for the

1 timely relinquishment of firearms, using the model policy as
2 an overall framework. Each individual agency may make small
3 modifications as needed to the model policy and must approve
4 and adopt a policy that aligns with the model policy. The
5 Illinois State Police shall convene local police chiefs and
6 sheriffs within their county as needed to discuss the
7 relinquishment of firearms.

8 (f) The Commission shall be dissolved June 1, 2025 (3
9 years after the effective date of Public Act 102-345).

10 (g) This Section is repealed June 1, 2026 (4 years after
11 the effective date of Public Act 102-345).

12 (Source: P.A. 102-345, eff. 6-1-22; 102-813, eff. 5-13-22.)

13 Section 10. The Illinois Procurement Code is amended by
14 changing Section 1-10 as follows:

15 (30 ILCS 500/1-10)

16 Sec. 1-10. Application.

17 (a) This Code applies only to procurements for which
18 bidders, offerors, potential contractors, or contractors were
19 first solicited on or after July 1, 1998. This Code shall not
20 be construed to affect or impair any contract, or any
21 provision of a contract, entered into based on a solicitation
22 prior to the implementation date of this Code as described in
23 Article 99, including, but not limited to, any covenant
24 entered into with respect to any revenue bonds or similar

1 instruments. All procurements for which contracts are
2 solicited between the effective date of Articles 50 and 99 and
3 July 1, 1998 shall be substantially in accordance with this
4 Code and its intent.

5 (b) This Code shall apply regardless of the source of the
6 funds with which the contracts are paid, including federal
7 assistance moneys. This Code shall not apply to:

8 (1) Contracts between the State and its political
9 subdivisions or other governments, or between State
10 governmental bodies, except as specifically provided in
11 this Code.

12 (2) Grants, except for the filing requirements of
13 Section 20-80.

14 (3) Purchase of care, except as provided in Section
15 5-30.6 of the Illinois Public Aid Code and this Section.

16 (4) Hiring of an individual as an employee and not as
17 an independent contractor, whether pursuant to an
18 employment code or policy or by contract directly with
19 that individual.

20 (5) Collective bargaining contracts.

21 (6) Purchase of real estate, except that notice of
22 this type of contract with a value of more than \$25,000
23 must be published in the Procurement Bulletin within 10
24 calendar days after the deed is recorded in the county of
25 jurisdiction. The notice shall identify the real estate
26 purchased, the names of all parties to the contract, the

1 value of the contract, and the effective date of the
2 contract.

3 (7) Contracts necessary to prepare for anticipated
4 litigation, enforcement actions, or investigations,
5 provided that the chief legal counsel to the Governor
6 shall give his or her prior approval when the procuring
7 agency is one subject to the jurisdiction of the Governor,
8 and provided that the chief legal counsel of any other
9 procuring entity subject to this Code shall give his or
10 her prior approval when the procuring entity is not one
11 subject to the jurisdiction of the Governor.

12 (8) (Blank).

13 (9) Procurement expenditures by the Illinois
14 Conservation Foundation when only private funds are used.

15 (10) (Blank).

16 (11) Public-private agreements entered into according
17 to the procurement requirements of Section 20 of the
18 Public-Private Partnerships for Transportation Act and
19 design-build agreements entered into according to the
20 procurement requirements of Section 25 of the
21 Public-Private Partnerships for Transportation Act.

22 (12) (A) Contracts for legal, financial, and other
23 professional and artistic services entered into by the
24 Illinois Finance Authority in which the State of Illinois
25 is not obligated. Such contracts shall be awarded through
26 a competitive process authorized by the members of the

1 Illinois Finance Authority and are subject to Sections
2 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
3 as well as the final approval by the members of the
4 Illinois Finance Authority of the terms of the contract.

5 (B) Contracts for legal and financial services entered
6 into by the Illinois Housing Development Authority in
7 connection with the issuance of bonds in which the State
8 of Illinois is not obligated. Such contracts shall be
9 awarded through a competitive process authorized by the
10 members of the Illinois Housing Development Authority and
11 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
12 and 50-37 of this Code, as well as the final approval by
13 the members of the Illinois Housing Development Authority
14 of the terms of the contract.

15 (13) Contracts for services, commodities, and
16 equipment to support the delivery of timely forensic
17 science services in consultation with and subject to the
18 approval of the Chief Procurement Officer as provided in
19 subsection (d) of Section 5-4-3a of the Unified Code of
20 Corrections, except for the requirements of Sections
21 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
22 Code; however, the Chief Procurement Officer may, in
23 writing with justification, waive any certification
24 required under Article 50 of this Code. For any contracts
25 for services which are currently provided by members of a
26 collective bargaining agreement, the applicable terms of

1 the collective bargaining agreement concerning
2 subcontracting shall be followed.

3 On and after January 1, 2019, this paragraph (13),
4 except for this sentence, is inoperative.

5 (14) Contracts for participation expenditures required
6 by a domestic or international trade show or exhibition of
7 an exhibitor, member, or sponsor.

8 (15) Contracts with a railroad or utility that
9 requires the State to reimburse the railroad or utilities
10 for the relocation of utilities for construction or other
11 public purpose. Contracts included within this paragraph
12 (15) shall include, but not be limited to, those
13 associated with: relocations, crossings, installations,
14 and maintenance. For the purposes of this paragraph (15),
15 "railroad" means any form of non-highway ground
16 transportation that runs on rails or electromagnetic
17 guideways and "utility" means: (1) public utilities as
18 defined in Section 3-105 of the Public Utilities Act, (2)
19 telecommunications carriers as defined in Section 13-202
20 of the Public Utilities Act, (3) electric cooperatives as
21 defined in Section 3.4 of the Electric Supplier Act, (4)
22 telephone or telecommunications cooperatives as defined in
23 Section 13-212 of the Public Utilities Act, (5) rural
24 water or waste water systems with 10,000 connections or
25 less, (6) a holder as defined in Section 21-201 of the
26 Public Utilities Act, and (7) municipalities owning or

1 operating utility systems consisting of public utilities
2 as that term is defined in Section 11-117-2 of the
3 Illinois Municipal Code.

4 (16) Procurement expenditures necessary for the
5 Department of Public Health to provide the delivery of
6 timely newborn screening services in accordance with the
7 Newborn Metabolic Screening Act.

8 (17) Procurement expenditures necessary for the
9 Department of Agriculture, the Department of Financial and
10 Professional Regulation, the Department of Human Services,
11 and the Department of Public Health to implement the
12 Compassionate Use of Medical Cannabis Program and Opioid
13 Alternative Pilot Program requirements and ensure access
14 to medical cannabis for patients with debilitating medical
15 conditions in accordance with the Compassionate Use of
16 Medical Cannabis Program Act.

17 (18) This Code does not apply to any procurements
18 necessary for the Department of Agriculture, the
19 Department of Financial and Professional Regulation, the
20 Department of Human Services, the Department of Commerce
21 and Economic Opportunity, and the Department of Public
22 Health to implement the Cannabis Regulation and Tax Act if
23 the applicable agency has made a good faith determination
24 that it is necessary and appropriate for the expenditure
25 to fall within this exemption and if the process is
26 conducted in a manner substantially in accordance with the

1 requirements of Sections 20-160, 25-60, 30-22, 50-5,
2 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
3 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
4 Section 50-35, compliance applies only to contracts or
5 subcontracts over \$100,000. Notice of each contract
6 entered into under this paragraph (18) that is related to
7 the procurement of goods and services identified in
8 paragraph (1) through (9) of this subsection shall be
9 published in the Procurement Bulletin within 14 calendar
10 days after contract execution. The Chief Procurement
11 Officer shall prescribe the form and content of the
12 notice. Each agency shall provide the Chief Procurement
13 Officer, on a monthly basis, in the form and content
14 prescribed by the Chief Procurement Officer, a report of
15 contracts that are related to the procurement of goods and
16 services identified in this subsection. At a minimum, this
17 report shall include the name of the contractor, a
18 description of the supply or service provided, the total
19 amount of the contract, the term of the contract, and the
20 exception to this Code utilized. A copy of any or all of
21 these contracts shall be made available to the Chief
22 Procurement Officer immediately upon request. The Chief
23 Procurement Officer shall submit a report to the Governor
24 and General Assembly no later than November 1 of each year
25 that includes, at a minimum, an annual summary of the
26 monthly information reported to the Chief Procurement

1 Officer. This exemption becomes inoperative 5 years after
2 June 25, 2019 (the effective date of Public Act 101-27).

3 (19) Acquisition of modifications or adjustments,
4 limited to assistive technology devices and assistive
5 technology services, adaptive equipment, repairs, and
6 replacement parts to provide reasonable accommodations (i)
7 that enable a qualified applicant with a disability to
8 complete the job application process and be considered for
9 the position such qualified applicant desires, (ii) that
10 modify or adjust the work environment to enable a
11 qualified current employee with a disability to perform
12 the essential functions of the position held by that
13 employee, (iii) to enable a qualified current employee
14 with a disability to enjoy equal benefits and privileges
15 of employment as are enjoyed by other similarly situated
16 employees without disabilities, and (iv) that allow a
17 customer, client, claimant, or member of the public
18 seeking State services full use and enjoyment of and
19 access to its programs, services, or benefits.

20 For purposes of this paragraph (19):

21 "Assistive technology devices" means any item, piece
22 of equipment, or product system, whether acquired
23 commercially off the shelf, modified, or customized, that
24 is used to increase, maintain, or improve functional
25 capabilities of individuals with disabilities.

26 "Assistive technology services" means any service that

1 directly assists an individual with a disability in
2 selection, acquisition, or use of an assistive technology
3 device.

4 "Qualified" has the same meaning and use as provided
5 under the federal Americans with Disabilities Act when
6 describing an individual with a disability.

7 (20) Procurement expenditures necessary for the
8 Illinois Commerce Commission to hire third-party
9 facilitators pursuant to Sections 16-105.17 and 16-108.18
10 of the Public Utilities Act or an ombudsman pursuant to
11 Section 16-107.5 of the Public Utilities Act, a
12 facilitator pursuant to Section 16-105.17 of the Public
13 Utilities Act, or a grid auditor pursuant to Section
14 16-105.10 of the Public Utilities Act.

15 (21) Procurement expenditures for the purchase,
16 renewal and expansion of software, software licenses, or
17 software maintenance agreements that support the efforts
18 of the Illinois State Police to enforce, regulate, and
19 administer the Firearm Owners Identification Card Act, the
20 Firearm Concealed Carry Act, the Firearms Restraining
21 Order Act, the Firearm Dealer License Certification Act,
22 the Law Enforcement Agencies Data System (LEADS), the
23 Uniform Crime Reporting Act, the Criminal Identification
24 Act, the Uniform Conviction Information Act, and the Gun
25 Trafficking Information Act, or establish or maintain
26 record management systems necessary to conduct human

1 trafficking investigations or gun trafficking or other
2 stolen firearm investigations. This paragraph (21) applies
3 to contracts entered into on or after the effective date
4 of this amendatory Act of the 102nd General Assembly and
5 the renewal of contracts that are in effect on the
6 effective date of this amendatory Act of the 102nd General
7 Assembly.

8 Notwithstanding any other provision of law, for contracts
9 with an annual value of more than \$100,000 entered into on or
10 after October 1, 2017 under an exemption provided in any
11 paragraph of this subsection (b), except paragraph (1), (2),
12 or (5), each State agency shall post to the appropriate
13 procurement bulletin the name of the contractor, a description
14 of the supply or service provided, the total amount of the
15 contract, the term of the contract, and the exception to the
16 Code utilized. The chief procurement officer shall submit a
17 report to the Governor and General Assembly no later than
18 November 1 of each year that shall include, at a minimum, an
19 annual summary of the monthly information reported to the
20 chief procurement officer.

21 (c) This Code does not apply to the electric power
22 procurement process provided for under Section 1-75 of the
23 Illinois Power Agency Act and Section 16-111.5 of the Public
24 Utilities Act.

25 (d) Except for Section 20-160 and Article 50 of this Code,
26 and as expressly required by Section 9.1 of the Illinois

1 Lottery Law, the provisions of this Code do not apply to the
2 procurement process provided for under Section 9.1 of the
3 Illinois Lottery Law.

4 (e) This Code does not apply to the process used by the
5 Capital Development Board to retain a person or entity to
6 assist the Capital Development Board with its duties related
7 to the determination of costs of a clean coal SNG brownfield
8 facility, as defined by Section 1-10 of the Illinois Power
9 Agency Act, as required in subsection (h-3) of Section 9-220
10 of the Public Utilities Act, including calculating the range
11 of capital costs, the range of operating and maintenance
12 costs, or the sequestration costs or monitoring the
13 construction of clean coal SNG brownfield facility for the
14 full duration of construction.

15 (f) (Blank).

16 (g) (Blank).

17 (h) This Code does not apply to the process to procure or
18 contracts entered into in accordance with Sections 11-5.2 and
19 11-5.3 of the Illinois Public Aid Code.

20 (i) Each chief procurement officer may access records
21 necessary to review whether a contract, purchase, or other
22 expenditure is or is not subject to the provisions of this
23 Code, unless such records would be subject to attorney-client
24 privilege.

25 (j) This Code does not apply to the process used by the
26 Capital Development Board to retain an artist or work or works

1 of art as required in Section 14 of the Capital Development
2 Board Act.

3 (k) This Code does not apply to the process to procure
4 contracts, or contracts entered into, by the State Board of
5 Elections or the State Electoral Board for hearing officers
6 appointed pursuant to the Election Code.

7 (l) This Code does not apply to the processes used by the
8 Illinois Student Assistance Commission to procure supplies and
9 services paid for from the private funds of the Illinois
10 Prepaid Tuition Fund. As used in this subsection (l), "private
11 funds" means funds derived from deposits paid into the
12 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

13 (m) This Code shall apply regardless of the source of
14 funds with which contracts are paid, including federal
15 assistance moneys. Except as specifically provided in this
16 Code, this Code shall not apply to procurement expenditures
17 necessary for the Department of Public Health to conduct the
18 Healthy Illinois Survey in accordance with Section 2310-431 of
19 the Department of Public Health Powers and Duties Law of the
20 Civil Administrative Code of Illinois.

21 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;
22 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff
23 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,
24 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22.)

25 Section 15. The Firearm Owners Identification Card Act is

1 amended by changing Sections 2, 4, and 8 and by adding Section
2 4.1 as follows:

3 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

4 Sec. 2. Firearm Owner's Identification Card required;
5 exceptions.

6 (a) (1) No person may acquire or possess any firearm, stun
7 gun, or taser within this State without having in his or her
8 possession a Firearm Owner's Identification Card previously
9 issued in his or her name by the Illinois State Police under
10 the provisions of this Act.

11 (2) No person may acquire or possess firearm ammunition
12 within this State without having in his or her possession a
13 Firearm Owner's Identification Card previously issued in his
14 or her name by the Illinois State Police under the provisions
15 of this Act.

16 (b) The provisions of this Section regarding the
17 possession of firearms, firearm ammunition, stun guns, and
18 tasers do not apply to:

19 (1) United States Marshals, while engaged in the
20 operation of their official duties;

21 (2) Members of the Armed Forces of the United States
22 or the National Guard, while engaged in the operation of
23 their official duties;

24 (3) Federal officials required to carry firearms,
25 while engaged in the operation of their official duties;

1 (4) Members of bona fide veterans organizations which
2 receive firearms directly from the armed forces of the
3 United States, while using the firearms for ceremonial
4 purposes with blank ammunition;

5 (5) Nonresident hunters during hunting season, with
6 valid nonresident hunting licenses and while in an area
7 where hunting is permitted; however, at all other times
8 and in all other places these persons must have their
9 firearms unloaded and enclosed in a case;

10 (6) Those hunters exempt from obtaining a hunting
11 license who are required to submit their Firearm Owner's
12 Identification Card when hunting on Department of Natural
13 Resources owned or managed sites;

14 (7) Nonresidents while on a firing or shooting range
15 recognized by the Illinois State Police; however, these
16 persons must at all other times and in all other places
17 have their firearms unloaded and enclosed in a case;

18 (8) Nonresidents while at a firearm showing or display
19 recognized by the Illinois State Police; however, at all
20 other times and in all other places these persons must
21 have their firearms unloaded and enclosed in a case;

22 (9) Nonresidents whose firearms are unloaded and
23 enclosed in a case;

24 (10) Nonresidents who are currently licensed or
25 registered to possess a firearm in their resident state;

26 (11) Unemancipated minors while in the custody and

1 immediate control of their parent or legal guardian or
2 other person in loco parentis to the minor if the parent or
3 legal guardian or other person in loco parentis to the
4 minor has a currently valid Firearm Owner's Identification
5 Card;

6 (12) Color guards of bona fide veterans organizations
7 or members of bona fide American Legion bands while using
8 firearms for ceremonial purposes with blank ammunition;

9 (13) Nonresident hunters whose state of residence does
10 not require them to be licensed or registered to possess a
11 firearm and only during hunting season, with valid hunting
12 licenses, while accompanied by, and using a firearm owned
13 by, a person who possesses a valid Firearm Owner's
14 Identification Card and while in an area within a
15 commercial club licensed under the Wildlife Code where
16 hunting is permitted and controlled, but in no instance
17 upon sites owned or managed by the Department of Natural
18 Resources;

19 (14) Resident hunters who are properly authorized to
20 hunt and, while accompanied by a person who possesses a
21 valid Firearm Owner's Identification Card, hunt in an area
22 within a commercial club licensed under the Wildlife Code
23 where hunting is permitted and controlled; and

24 (15) A person who is otherwise eligible to obtain a
25 Firearm Owner's Identification Card under this Act and is
26 under the direct supervision of a holder of a Firearm

1 Owner's Identification Card who is 21 years of age or
2 older while the person is on a firing or shooting range or
3 is a participant in a firearms safety and training course
4 recognized by a law enforcement agency or a national,
5 statewide shooting sports organization, and

6 ~~(16) Competitive shooting athletes whose competition~~
7 ~~firearms are sanctioned by the International Olympic~~
8 ~~Committee, the International Paralympic Committee, the~~
9 ~~International Shooting Sport Federation, or USA Shooting~~
10 ~~in connection with such athletes' training for and~~
11 ~~participation in shooting competitions at the 2016 Olympic~~
12 ~~and Paralympic Games and sanctioned test events leading up~~
13 ~~to the 2016 Olympic and Paralympic Games.~~

14 (c) The provisions of this Section regarding the
15 acquisition and possession of firearms, firearm ammunition,
16 stun guns, and tasers do not apply to law enforcement
17 officials of this or any other jurisdiction, while engaged in
18 the operation of their official duties.

19 (c-5) The provisions of paragraphs (1) and (2) of
20 subsection (a) of this Section regarding the possession of
21 firearms and firearm ammunition do not apply to the holder of a
22 valid concealed carry license issued under the Firearm
23 Concealed Carry Act who is in physical possession of the
24 concealed carry license.

25 (d) Any person who becomes a resident of this State, who is
26 not otherwise prohibited from obtaining, possessing, or using

1 a firearm or firearm ammunition, shall not be required to have
2 a Firearm Owner's Identification Card to possess firearms or
3 firearms ammunition until 60 calendar days after he or she
4 obtains an Illinois driver's license or Illinois
5 Identification Card.

6 (Source: P.A. 102-538, eff. 8-20-21.)

7 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

8 Sec. 4. Application for Firearm Owner's Identification
9 Cards.

10 (a) Each applicant for a Firearm Owner's Identification
11 Card must:

12 (1) Submit an application as made available by the
13 Illinois State Police; and

14 (2) Submit evidence to the Illinois State Police that:

15 (i) This subparagraph (i) applies through the
16 180th day following July 12, 2019 (the effective date
17 of Public Act 101-80). He or she is 21 years of age or
18 over, or if he or she is under 21 years of age that he
19 or she has the written consent of his or her parent or
20 legal guardian to possess and acquire firearms and
21 firearm ammunition and that he or she has never been
22 convicted of a misdemeanor other than a traffic
23 offense or adjudged delinquent, provided, however,
24 that such parent or legal guardian is not an
25 individual prohibited from having a Firearm Owner's

1 Identification Card and files an affidavit with the
2 Department as prescribed by the Department stating
3 that he or she is not an individual prohibited from
4 having a Card;

5 (i-5) This subparagraph (i-5) applies on and after
6 the 181st day following July 12, 2019 (the effective
7 date of Public Act 101-80). He or she is 21 years of
8 age or over, or if he or she is under 21 years of age
9 that he or she has never been convicted of a
10 misdemeanor other than a traffic offense or adjudged
11 delinquent and is an active duty member of the United
12 States Armed Forces or the Illinois National Guard or
13 has the written consent of his or her parent or legal
14 guardian to possess and acquire firearms and firearm
15 ammunition, provided, however, that such parent or
16 legal guardian is not an individual prohibited from
17 having a Firearm Owner's Identification Card and files
18 an affidavit with the Illinois State Police as
19 prescribed by the Illinois State Police stating that
20 he or she is not an individual prohibited from having a
21 Card or the active duty member of the United States
22 Armed Forces or the Illinois National Guard under 21
23 years of age annually submits proof to the Illinois
24 State Police, in a manner prescribed by the Illinois
25 State Police;

26 (ii) He or she has not been convicted of a felony

1 under the laws of this or any other jurisdiction;

2 (iii) He or she is not addicted to narcotics;

3 (iv) He or she has not been a patient in a mental
4 health facility within the past 5 years or, if he or
5 she has been a patient in a mental health facility more
6 than 5 years ago submit the certification required
7 under subsection (u) of Section 8 of this Act;

8 (v) He or she is not a person with an intellectual
9 disability;

10 (vi) He or she is not a noncitizen who is
11 unlawfully present in the United States under the laws
12 of the United States;

13 (vii) He or she is not subject to an existing order
14 of protection prohibiting him or her from possessing a
15 firearm;

16 (viii) He or she has not been convicted within the
17 past 5 years of battery, assault, aggravated assault,
18 violation of an order of protection, or a
19 substantially similar offense in another jurisdiction,
20 in which a firearm was used or possessed;

21 (ix) He or she has not been convicted of domestic
22 battery, aggravated domestic battery, or a
23 substantially similar offense in another jurisdiction
24 committed before, on or after January 1, 2012 (the
25 effective date of Public Act 97-158). If the applicant
26 knowingly and intelligently waives the right to have

1 an offense described in this clause (ix) tried by a
2 jury, and by guilty plea or otherwise, results in a
3 conviction for an offense in which a domestic
4 relationship is not a required element of the offense
5 but in which a determination of the applicability of
6 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of
7 the Code of Criminal Procedure of 1963, an entry by the
8 court of a judgment of conviction for that offense
9 shall be grounds for denying the issuance of a Firearm
10 Owner's Identification Card under this Section;

11 (x) (Blank);

12 (xi) He or she is not a noncitizen who has been
13 admitted to the United States under a non-immigrant
14 visa (as that term is defined in Section 101(a)(26) of
15 the Immigration and Nationality Act (8 U.S.C.
16 1101(a)(26))), or that he or she is a noncitizen who
17 has been lawfully admitted to the United States under
18 a non-immigrant visa if that noncitizen is:

19 (1) admitted to the United States for lawful
20 hunting or sporting purposes;

21 (2) an official representative of a foreign
22 government who is:

23 (A) accredited to the United States
24 Government or the Government's mission to an
25 international organization having its
26 headquarters in the United States; or

1 (B) en route to or from another country to
2 which that noncitizen is accredited;

3 (3) an official of a foreign government or
4 distinguished foreign visitor who has been so
5 designated by the Department of State;

6 (4) a foreign law enforcement officer of a
7 friendly foreign government entering the United
8 States on official business; or

9 (5) one who has received a waiver from the
10 Attorney General of the United States pursuant to
11 18 U.S.C. 922 (y) (3);

12 (xii) He or she is not a minor subject to a
13 petition filed under Section 5-520 of the Juvenile
14 Court Act of 1987 alleging that the minor is a
15 delinquent minor for the commission of an offense that
16 if committed by an adult would be a felony;

17 (xiii) He or she is not an adult who had been
18 adjudicated a delinquent minor under the Juvenile
19 Court Act of 1987 for the commission of an offense that
20 if committed by an adult would be a felony;

21 (xiv) He or she is a resident of the State of
22 Illinois;

23 (xv) He or she has not been adjudicated as a person
24 with a mental disability;

25 (xvi) He or she has not been involuntarily
26 admitted into a mental health facility; and

1 (xvii) He or she is not a person with a
2 developmental disability; and

3 (3) Upon request by the Illinois State Police, sign a
4 release on a form prescribed by the Illinois State Police
5 waiving any right to confidentiality and requesting the
6 disclosure to the Illinois State Police of limited mental
7 health institution admission information from another
8 state, the District of Columbia, any other territory of
9 the United States, or a foreign nation concerning the
10 applicant for the sole purpose of determining whether the
11 applicant is or was a patient in a mental health
12 institution and disqualified because of that status from
13 receiving a Firearm Owner's Identification Card. No mental
14 health care or treatment records may be requested. The
15 information received shall be destroyed within one year of
16 receipt.

17 (a-5) Each applicant for a Firearm Owner's Identification
18 Card who is over the age of 18 shall furnish to the Illinois
19 State Police either his or her Illinois driver's license
20 number or Illinois Identification Card number, except as
21 provided in subsection (a-10).

22 (a-10) Each applicant for a Firearm Owner's Identification
23 Card, who is employed as a law enforcement officer, an armed
24 security officer in Illinois, or by the United States Military
25 permanently assigned in Illinois and who is not an Illinois
26 resident, shall furnish to the Illinois State Police his or

1 her driver's license number or state identification card
2 number from his or her state of residence. The Illinois State
3 Police may adopt rules to enforce the provisions of this
4 subsection (a-10).

5 (a-15) If an applicant applying for a Firearm Owner's
6 Identification Card moves from the residence address named in
7 the application, he or she shall immediately notify in a form
8 and manner prescribed by the Illinois State Police of that
9 change of address.

10 (a-20) Each applicant for a Firearm Owner's Identification
11 Card shall furnish to the Illinois State Police his or her
12 photograph. An applicant who is 21 years of age or older
13 seeking a religious exemption to the photograph requirement
14 must furnish with the application an approved copy of United
15 States Department of the Treasury Internal Revenue Service
16 Form 4029. In lieu of a photograph, an applicant regardless of
17 age seeking a religious exemption to the photograph
18 requirement shall submit fingerprints on a form and manner
19 prescribed by the Illinois State Police with his or her
20 application.

21 (a-25) Beginning January 1, 2023, each applicant for the
22 issuance of a Firearm Owner's Identification Card may include
23 a full set of his or her fingerprints in electronic format to
24 the Illinois State Police, unless the applicant has previously
25 provided a full set of his or her fingerprints to the Illinois
26 State Police under this Act or the Firearm Concealed Carry

1 Act.

2 The fingerprints must be transmitted through a live scan
3 fingerprint vendor licensed by the Department of Financial and
4 Professional Regulation. The fingerprints shall be checked
5 against the fingerprint records now and hereafter filed in the
6 Illinois State Police and Federal Bureau of Investigation
7 criminal history records databases, including all available
8 State and local criminal history record information files.

9 The Illinois State Police shall charge applicants a
10 one-time fee for conducting the criminal history record check,
11 which shall be deposited into the State Police Services Fund
12 and shall not exceed the actual cost of the State and national
13 criminal history record check.

14 (a-26) The Illinois State Police shall research, explore,
15 and report to the General Assembly by January 1, 2022 on the
16 feasibility of permitting voluntarily submitted fingerprints
17 obtained for purposes other than Firearm Owner's
18 Identification Card enforcement that are contained in the
19 Illinois State Police database for purposes of this Act.

20 (b) Each application form shall include the following
21 statement printed in bold type: "Warning: Entering false
22 information on an application for a Firearm Owner's
23 Identification Card is punishable as a Class 2 felony in
24 accordance with subsection (d-5) of Section 14 of the Firearm
25 Owners Identification Card Act."

26 (c) Upon such written consent, pursuant to Section 4,

1 paragraph (a)(2)(i), the parent or legal guardian giving the
2 consent shall be liable for any damages resulting from the
3 applicant's use of firearms or firearm ammunition.

4 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;
5 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.
6 5-27-22.)

7 (430 ILCS 65/4.1 new)

8 Sec. 4.1. Assault weapon or .50 caliber rifle endorsement.

9 (a) The endorsement affidavit form completed pursuant to
10 Section 24-1.9 of the Criminal Code of 2012 must be executed
11 electronically through the individual's Firearm Owner's
12 Identification Card account.

13 (b) The Illinois State Police shall adopt rules in
14 accordance with this Section for the electronic submission of
15 an endorsement affidavit.

16 (c) Entering false information on the endorsement
17 affidavit form is a violation of this Act and is also
18 punishable as perjury under Section 32-2 of the Criminal Code
19 of 2012.

20 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

21 Sec. 8. Grounds for denial and revocation. The Illinois
22 State Police has authority to deny an application for or to
23 revoke and seize a Firearm Owner's Identification Card
24 previously issued under this Act only if the Illinois State

1 Police finds that the applicant or the person to whom such card
2 was issued is or was at the time of issuance:

3 (a) A person under 21 years of age who has been
4 convicted of a misdemeanor other than a traffic offense or
5 adjudged delinquent;

6 (b) This subsection (b) applies through the 180th day
7 following July 12, 2019 (the effective date of Public Act
8 101-80). A person under 21 years of age who does not have
9 the written consent of his parent or guardian to acquire
10 and possess firearms and firearm ammunition, or whose
11 parent or guardian has revoked such written consent, or
12 where such parent or guardian does not qualify to have a
13 Firearm Owner's Identification Card;

14 (b-5) This subsection (b-5) applies on and after the
15 181st day following July 12, 2019 (the effective date of
16 Public Act 101-80). A person under 21 years of age who is
17 not an active duty member of the United States Armed
18 Forces or the Illinois National Guard and does not have
19 the written consent of his or her parent or guardian to
20 acquire and possess firearms and firearm ammunition, or
21 whose parent or guardian has revoked such written consent,
22 or where such parent or guardian does not qualify to have a
23 Firearm Owner's Identification Card;

24 (c) A person convicted of a felony under the laws of
25 this or any other jurisdiction;

26 (d) A person addicted to narcotics;

1 (e) A person who has been a patient of a mental health
2 facility within the past 5 years or a person who has been a
3 patient in a mental health facility more than 5 years ago
4 who has not received the certification required under
5 subsection (u) of this Section. An active law enforcement
6 officer employed by a unit of government or a Department
7 of Corrections employee authorized to possess firearms who
8 is denied, revoked, or has his or her Firearm Owner's
9 Identification Card seized under this subsection (e) may
10 obtain relief as described in subsection (c-5) of Section
11 10 of this Act if the officer or employee did not act in a
12 manner threatening to the officer or employee, another
13 person, or the public as determined by the treating
14 clinical psychologist or physician, and the officer or
15 employee seeks mental health treatment;

16 (f) A person whose mental condition is of such a
17 nature that it poses a clear and present danger to the
18 applicant, any other person or persons, or the community;

19 (g) A person who has an intellectual disability;

20 (h) A person who intentionally makes a false statement
21 in the Firearm Owner's Identification Card application or
22 endorsement affidavit;

23 (i) A noncitizen who is unlawfully present in the
24 United States under the laws of the United States;

25 (i-5) A noncitizen who has been admitted to the United
26 States under a non-immigrant visa (as that term is defined

1 in Section 101(a)(26) of the Immigration and Nationality
2 Act (8 U.S.C. 1101(a)(26))), except that this subsection
3 (i-5) does not apply to any noncitizen who has been
4 lawfully admitted to the United States under a
5 non-immigrant visa if that noncitizen is:

6 (1) admitted to the United States for lawful
7 hunting or sporting purposes;

8 (2) an official representative of a foreign
9 government who is:

10 (A) accredited to the United States Government
11 or the Government's mission to an international
12 organization having its headquarters in the United
13 States; or

14 (B) en route to or from another country to
15 which that noncitizen is accredited;

16 (3) an official of a foreign government or
17 distinguished foreign visitor who has been so
18 designated by the Department of State;

19 (4) a foreign law enforcement officer of a
20 friendly foreign government entering the United States
21 on official business; or

22 (5) one who has received a waiver from the
23 Attorney General of the United States pursuant to 18
24 U.S.C. 922(y)(3);

25 (j) (Blank);

26 (k) A person who has been convicted within the past 5

1 years of battery, assault, aggravated assault, violation
2 of an order of protection, or a substantially similar
3 offense in another jurisdiction, in which a firearm was
4 used or possessed;

5 (l) A person who has been convicted of domestic
6 battery, aggravated domestic battery, or a substantially
7 similar offense in another jurisdiction committed before,
8 on or after January 1, 2012 (the effective date of Public
9 Act 97-158). If the applicant or person who has been
10 previously issued a Firearm Owner's Identification Card
11 under this Act knowingly and intelligently waives the
12 right to have an offense described in this paragraph (l)
13 tried by a jury, and by guilty plea or otherwise, results
14 in a conviction for an offense in which a domestic
15 relationship is not a required element of the offense but
16 in which a determination of the applicability of 18 U.S.C.
17 922(g)(9) is made under Section 112A-11.1 of the Code of
18 Criminal Procedure of 1963, an entry by the court of a
19 judgment of conviction for that offense shall be grounds
20 for denying an application for and for revoking and
21 seizing a Firearm Owner's Identification Card previously
22 issued to the person under this Act;

23 (m) (Blank);

24 (n) A person who is prohibited from acquiring or
25 possessing firearms or firearm ammunition by any Illinois
26 State statute or by federal law;

1 (o) A minor subject to a petition filed under Section
2 5-520 of the Juvenile Court Act of 1987 alleging that the
3 minor is a delinquent minor for the commission of an
4 offense that if committed by an adult would be a felony;

5 (p) An adult who had been adjudicated a delinquent
6 minor under the Juvenile Court Act of 1987 for the
7 commission of an offense that if committed by an adult
8 would be a felony;

9 (q) A person who is not a resident of the State of
10 Illinois, except as provided in subsection (a-10) of
11 Section 4;

12 (r) A person who has been adjudicated as a person with
13 a mental disability;

14 (s) A person who has been found to have a
15 developmental disability;

16 (t) A person involuntarily admitted into a mental
17 health facility; or

18 (u) A person who has had his or her Firearm Owner's
19 Identification Card revoked or denied under subsection (e)
20 of this Section or item (iv) of paragraph (2) of
21 subsection (a) of Section 4 of this Act because he or she
22 was a patient in a mental health facility as provided in
23 subsection (e) of this Section, shall not be permitted to
24 obtain a Firearm Owner's Identification Card, after the
25 5-year period has lapsed, unless he or she has received a
26 mental health evaluation by a physician, clinical

1 psychologist, or qualified examiner as those terms are
2 defined in the Mental Health and Developmental
3 Disabilities Code, and has received a certification that
4 he or she is not a clear and present danger to himself,
5 herself, or others. The physician, clinical psychologist,
6 or qualified examiner making the certification and his or
7 her employer shall not be held criminally, civilly, or
8 professionally liable for making or not making the
9 certification required under this subsection, except for
10 willful or wanton misconduct. This subsection does not
11 apply to a person whose firearm possession rights have
12 been restored through administrative or judicial action
13 under Section 10 or 11 of this Act.

14 Upon revocation of a person's Firearm Owner's
15 Identification Card, the Illinois State Police shall provide
16 notice to the person and the person shall comply with Section
17 9.5 of this Act.

18 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;
19 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.
20 5-27-22.)

21 Section 20. The Firearms Restraining Order Act is amended
22 by changing Sections 40, 45, and 55 as follows:

23 (430 ILCS 67/40)

24 Sec. 40. Plenary ~~Six-month~~ orders.

1 (a) A petitioner may request a ~~6-month~~ firearms
2 restraining order for up to one year by filing an affidavit or
3 verified pleading alleging that the respondent poses a
4 significant danger of causing personal injury to himself,
5 herself, or another in the near future by having in his or her
6 custody or control, purchasing, possessing, or receiving a
7 firearm, ammunition, and firearm parts that could be assembled
8 to make an operable firearm. The petition shall also describe
9 the number, types, and locations of any firearms, ammunition,
10 and firearm parts that could be assembled to make an operable
11 firearm presently believed by the petitioner to be possessed
12 or controlled by the respondent. The firearms restraining
13 order may be renewed for an additional period of up to one
14 year.

15 (b) If the respondent is alleged to pose a significant
16 danger of causing personal injury to an intimate partner, or
17 an intimate partner is alleged to have been the target of a
18 threat or act of violence by the respondent, the petitioner
19 shall make a good faith effort to provide notice to any and all
20 intimate partners of the respondent. The notice must include
21 the duration of time that the petitioner intends to petition
22 the court for a ~~6-month~~ firearms restraining order, and, if
23 the petitioner is a law enforcement officer, referral to
24 relevant domestic violence or stalking advocacy or counseling
25 resources, if appropriate. The petitioner shall attest to
26 having provided the notice in the filed affidavit or verified

1 pleading. If, after making a good faith effort, the petitioner
2 is unable to provide notice to any or all intimate partners,
3 the affidavit or verified pleading should describe what
4 efforts were made.

5 (c) Every person who files a petition for a plenary
6 ~~6-month~~ firearms restraining order, knowing the information
7 provided to the court at any hearing or in the affidavit or
8 verified pleading to be false, is guilty of perjury under
9 Section 32-2 of the Criminal Code of 2012.

10 (d) Upon receipt of a petition for a plenary ~~6-month~~
11 firearms restraining order, the court shall order a hearing
12 within 30 days.

13 (e) In determining whether to issue a firearms restraining
14 order under this Section, the court shall consider evidence
15 including, but not limited to, the following:

16 (1) The unlawful and reckless use, display, or
17 brandishing of a firearm, ammunition, and firearm parts
18 that could be assembled to make an operable firearm by the
19 respondent.

20 (2) The history of use, attempted use, or threatened
21 use of physical force by the respondent against another
22 person.

23 (3) Any prior arrest of the respondent for a felony
24 offense.

25 (4) Evidence of the abuse of controlled substances or
26 alcohol by the respondent.

1 (5) A recent threat of violence or act of violence by
2 the respondent directed toward himself, herself, or
3 another.

4 (6) A violation of an emergency order of protection
5 issued under Section 217 of the Illinois Domestic Violence
6 Act of 1986 or Section 112A-17 of the Code of Criminal
7 Procedure of 1963 or of an order of protection issued
8 under Section 214 of the Illinois Domestic Violence Act of
9 1986 or Section 112A-14 of the Code of Criminal Procedure
10 of 1963.

11 (7) A pattern of violent acts or violent threats,
12 including, but not limited to, threats of violence or acts
13 of violence by the respondent directed toward himself,
14 herself, or another.

15 (f) At the hearing, the petitioner shall have the burden
16 of proving, by clear and convincing evidence, that the
17 respondent poses a significant danger of personal injury to
18 himself, herself, or another by having in his or her custody or
19 control, purchasing, possessing, or receiving a firearm,
20 ammunition, and firearm parts that could be assembled to make
21 an operable firearm.

22 (g) If the court finds that there is clear and convincing
23 evidence to issue a plenary firearms restraining order, the
24 court shall issue a firearms restraining order that shall be
25 in effect for up to one year, but not less than 6 months, ~~6~~
26 ~~months~~ subject to renewal under Section 45 of this Act or

1 termination under that Section.

2 (g-5) If the court issues a plenary ~~6-month~~ firearms
3 restraining order, it shall, upon a finding of probable cause
4 that the respondent possesses firearms, ammunition, and
5 firearm parts that could be assembled to make an operable
6 firearm, issue a search warrant directing a law enforcement
7 agency to seize the respondent's firearms, ammunition, and
8 firearm parts that could be assembled to make an operable
9 firearm. The court may, as part of that warrant, direct the law
10 enforcement agency to search the respondent's residence and
11 other places where the court finds there is probable cause to
12 believe he or she is likely to possess the firearms,
13 ammunition, and firearm parts that could be assembled to make
14 an operable firearm. A return of the search warrant shall be
15 filed by the law enforcement agency within 4 days thereafter,
16 setting forth the time, date, and location that the search
17 warrant was executed and what items, if any, were seized.

18 (h) A plenary ~~6-month~~ firearms restraining order shall
19 require:

20 (1) the respondent to refrain from having in his or
21 her custody or control, purchasing, possessing, or
22 receiving additional firearms, ammunition, and firearm
23 parts that could be assembled to make an operable firearm
24 for the duration of the order under Section 8.2 of the
25 Firearm Owners Identification Card Act; and

26 (2) the respondent to comply with Section 9.5 of the

1 Firearm Owners Identification Card Act and subsection (g)
2 of Section 70 of the Firearm Concealed Carry Act.

3 (i) Except as otherwise provided in subsection (i-5) of
4 this Section, upon expiration of the period of safekeeping, if
5 the firearms, ammunition, and firearm parts that could be
6 assembled to make an operable firearm or Firearm Owner's
7 Identification Card cannot be returned to the respondent
8 because the respondent cannot be located, fails to respond to
9 requests to retrieve the firearms, ammunition, and firearm
10 parts that could be assembled to make an operable firearm, or
11 is not lawfully eligible to possess a firearm, ammunition, and
12 firearm parts that could be assembled to make an operable
13 firearm, upon petition from the local law enforcement agency,
14 the court may order the local law enforcement agency to
15 destroy the firearms, ammunition, and firearm parts that could
16 be assembled to make an operable firearm, use the firearms,
17 ammunition, and firearm parts that could be assembled to make
18 an operable firearm for training purposes, or use the
19 firearms, ammunition, and firearm parts that could be
20 assembled to make an operable firearm for any other
21 application as deemed appropriate by the local law enforcement
22 agency.

23 (i-5) A respondent whose Firearm Owner's Identification
24 Card has been revoked or suspended may petition the court, if
25 the petitioner is present in court or has notice of the
26 respondent's petition, to transfer the respondent's firearm,

1 ammunition, and firearm parts that could be assembled to make
2 an operable firearm to a person who is lawfully able to possess
3 the firearm, ammunition, and firearm parts that could be
4 assembled to make an operable firearm if the person does not
5 reside at the same address as the respondent. Notice of the
6 petition shall be served upon the person protected by the
7 emergency firearms restraining order. While the order is in
8 effect, the transferee who receives the respondent's firearms,
9 ammunition, and firearm parts that could be assembled to make
10 an operable firearm must swear or affirm by affidavit that he
11 or she shall not transfer the firearm, ammunition, and firearm
12 parts that could be assembled to make an operable firearm to
13 the respondent or to anyone residing in the same residence as
14 the respondent.

15 (i-6) If a person other than the respondent claims title
16 to any firearms, ammunition, and firearm parts that could be
17 assembled to make an operable firearm surrendered under this
18 Section, he or she may petition the court, if the petitioner is
19 present in court or has notice of the petition, to have the
20 firearm, ammunition, and firearm parts that could be assembled
21 to make an operable firearm returned to him or her. If the
22 court determines that person to be the lawful owner of the
23 firearm, ammunition, and firearm parts that could be assembled
24 to make an operable firearm, the firearm, ammunition, and
25 firearm parts that could be assembled to make an operable
26 firearm shall be returned to him or her, provided that:

1 (1) the firearm, ammunition, and firearm parts that
2 could be assembled to make an operable firearm are removed
3 from the respondent's custody, control, or possession and
4 the lawful owner agrees to store the firearm, ammunition,
5 and firearm parts that could be assembled to make an
6 operable firearm in a manner such that the respondent does
7 not have access to or control of the firearm, ammunition,
8 and firearm parts that could be assembled to make an
9 operable firearm; and

10 (2) the firearm, ammunition, and firearm parts that
11 could be assembled to make an operable firearm are not
12 otherwise unlawfully possessed by the owner.

13 The person petitioning for the return of his or her
14 firearm, ammunition, and firearm parts that could be assembled
15 to make an operable firearm must swear or affirm by affidavit
16 that he or she: (i) is the lawful owner of the firearm,
17 ammunition, and firearm parts that could be assembled to make
18 an operable firearm; (ii) shall not transfer the firearm,
19 ammunition, and firearm parts that could be assembled to make
20 an operable firearm to the respondent; and (iii) will store
21 the firearm, ammunition, and firearm parts that could be
22 assembled to make an operable firearm in a manner that the
23 respondent does not have access to or control of the firearm,
24 ammunition, and firearm parts that could be assembled to make
25 an operable firearm.

26 (j) If the court does not issue a firearms restraining

1 order at the hearing, the court shall dissolve any emergency
2 firearms restraining order then in effect.

3 (k) When the court issues a firearms restraining order
4 under this Section, the court shall inform the respondent that
5 he or she is entitled to one hearing during the period of the
6 order to request a termination of the order, under Section 45
7 of this Act, and shall provide the respondent with a form to
8 request a hearing.

9 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;
10 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.
11 5-13-22.)

12 (430 ILCS 67/45)

13 Sec. 45. Termination and renewal.

14 (a) A person subject to a firearms restraining order
15 issued under this Act may submit one written request at any
16 time during the effective period of the order for a hearing to
17 terminate the order.

18 (1) The respondent shall have the burden of proving by
19 a preponderance of the evidence that the respondent does
20 not pose a danger of causing personal injury to himself,
21 herself, or another in the near future by having in his or
22 her custody or control, purchasing, possessing, or
23 receiving a firearm, ammunition, and firearm parts that
24 could be assembled to make an operable firearm.

25 (2) If the court finds after the hearing that the

1 respondent has met his or her burden, the court shall
2 terminate the order.

3 (b) A petitioner may request a renewal of a firearms
4 restraining order at any time within the 3 months before the
5 expiration of a firearms restraining order.

6 (1) A court shall, after notice and a hearing, renew a
7 firearms restraining order issued under this part if the
8 petitioner proves, by clear and convincing evidence, that
9 the respondent continues to pose a danger of causing
10 personal injury to himself, herself, or another in the
11 near future by having in his or her custody or control,
12 purchasing, possessing, or receiving a firearm,
13 ammunition, and firearm parts that could be assembled to
14 make an operable firearm.

15 (2) In determining whether to renew a firearms
16 restraining order issued under this Act, the court shall
17 consider evidence of the facts identified in subsection
18 (e) of Section 40 of this Act and any other evidence of an
19 increased risk for violence.

20 (3) At the hearing, the petitioner shall have the
21 burden of proving by clear and convincing evidence that
22 the respondent continues to pose a danger of causing
23 personal injury to himself, herself, or another in the
24 near future by having in his or her custody or control,
25 purchasing, possessing, or receiving a firearm,
26 ammunition, and firearm parts that could be assembled to

1 make an operable firearm.

2 (4) The renewal of a firearms restraining order issued
3 under this Section shall be in effect for up to one year
4 and may be renewed for an additional period of up to one
5 year ~~6 months~~, subject to termination by further order of
6 the court at a hearing held under this Section and further
7 renewal by further order of the court under this Section.

8 (Source: P.A. 101-81, eff. 7-12-19; 102-345, eff. 6-1-22.)

9 (430 ILCS 67/55)

10 Sec. 55. Data maintenance by law enforcement agencies.

11 (a) All sheriffs shall furnish to the Illinois State
12 Police, daily, in the form and detail the Illinois State
13 Police Department requires, copies of any recorded firearms
14 restraining orders issued by the court, and any foreign orders
15 of protection filed by the clerk of the court, and transmitted
16 to the sheriff by the clerk of the court under Section 50. Each
17 firearms restraining order shall be entered in the Law
18 Enforcement Agencies Data System (LEADS) on the same day it is
19 issued by the court. If an emergency firearms restraining
20 order was issued in accordance with Section 35 of this Act, the
21 order shall be entered in the Law Enforcement Agencies Data
22 System (LEADS) as soon as possible after receipt from the
23 clerk.

24 (b) The Illinois State Police shall maintain a complete
25 and systematic record and index of all valid and recorded

1 firearms restraining orders issued or filed under this Act.
2 The data shall be used to inform all dispatchers and law
3 enforcement officers at the scene of a violation of a firearms
4 restraining order of the effective dates and terms of any
5 recorded order of protection.

6 (c) The data, records, and transmittals required under
7 this Section shall pertain to any valid emergency or plenary
8 ~~6-month~~ firearms restraining order, whether issued in a civil
9 or criminal proceeding or authorized under the laws of another
10 state, tribe, or United States territory.

11 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21.)

12 Section 25. The Criminal Code of 2012 is amended by
13 changing Section 24-1 and by adding Sections 24-1.9 and
14 24-1.10 as follows:

15 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

16 Sec. 24-1. Unlawful use of weapons.

17 (a) A person commits the offense of unlawful use of
18 weapons when he knowingly:

19 (1) Sells, manufactures, purchases, possesses or
20 carries any bludgeon, black-jack, slung-shot, sand-club,
21 sand-bag, metal knuckles or other knuckle weapon
22 regardless of its composition, throwing star, or any
23 knife, commonly referred to as a switchblade knife, which
24 has a blade that opens automatically by hand pressure

1 applied to a button, spring or other device in the handle
2 of the knife, or a ballistic knife, which is a device that
3 propels a knifelike blade as a projectile by means of a
4 coil spring, elastic material or compressed gas; or

5 (2) Carries or possesses with intent to use the same
6 unlawfully against another, a dagger, dirk, billy,
7 dangerous knife, razor, stiletto, broken bottle or other
8 piece of glass, stun gun or taser or any other dangerous or
9 deadly weapon or instrument of like character; or

10 (2.5) Carries or possesses with intent to use the same
11 unlawfully against another, any firearm in a church,
12 synagogue, mosque, or other building, structure, or place
13 used for religious worship; or

14 (3) Carries on or about his person or in any vehicle, a
15 tear gas gun projector or bomb or any object containing
16 noxious liquid gas or substance, other than an object
17 containing a non-lethal noxious liquid gas or substance
18 designed solely for personal defense carried by a person
19 18 years of age or older; or

20 (4) Carries or possesses in any vehicle or concealed
21 on or about his person except when on his land or in his
22 own abode, legal dwelling, or fixed place of business, or
23 on the land or in the legal dwelling of another person as
24 an invitee with that person's permission, any pistol,
25 revolver, stun gun or taser or other firearm, except that
26 this subsection (a) (4) does not apply to or affect

1 transportation of weapons that meet one of the following
2 conditions:

3 (i) are broken down in a non-functioning state; or

4 (ii) are not immediately accessible; or

5 (iii) are unloaded and enclosed in a case, firearm
6 carrying box, shipping box, or other container by a
7 person who has been issued a currently valid Firearm
8 Owner's Identification Card; or

9 (iv) are carried or possessed in accordance with
10 the Firearm Concealed Carry Act by a person who has
11 been issued a currently valid license under the
12 Firearm Concealed Carry Act; or

13 (5) Sets a spring gun; or

14 (6) Possesses any device or attachment of any kind
15 designed, used or intended for use in silencing the report
16 of any firearm; or

17 (7) Sells, manufactures, purchases, possesses or
18 carries:

19 (i) a machine gun, which shall be defined for the
20 purposes of this subsection as any weapon, which
21 shoots, is designed to shoot, or can be readily
22 restored to shoot, automatically more than one shot
23 without manually reloading by a single function of the
24 trigger, including the frame or receiver of any such
25 weapon, or sells, manufactures, purchases, possesses,
26 or carries any combination of parts designed or

1 intended for use in converting any weapon into a
2 machine gun, or any combination or parts from which a
3 machine gun can be assembled if such parts are in the
4 possession or under the control of a person;

5 (ii) any rifle having one or more barrels less
6 than 16 inches in length or a shotgun having one or
7 more barrels less than 18 inches in length or any
8 weapon made from a rifle or shotgun, whether by
9 alteration, modification, or otherwise, if such a
10 weapon as modified has an overall length of less than
11 26 inches; or

12 (iii) any bomb, bomb-shell, grenade, bottle or
13 other container containing an explosive substance of
14 over one-quarter ounce for like purposes, such as, but
15 not limited to, black powder bombs and Molotov
16 cocktails or artillery projectiles; or

17 (8) Carries or possesses any firearm, stun gun or
18 taser or other deadly weapon in any place which is
19 licensed to sell intoxicating beverages, or at any public
20 gathering held pursuant to a license issued by any
21 governmental body or any public gathering at which an
22 admission is charged, excluding a place where a showing,
23 demonstration or lecture involving the exhibition of
24 unloaded firearms is conducted.

25 This subsection (a) (8) does not apply to any auction
26 or raffle of a firearm held pursuant to a license or permit

1 issued by a governmental body, nor does it apply to
2 persons engaged in firearm safety training courses; or

3 (9) Carries or possesses in a vehicle or on or about
4 his or her person any pistol, revolver, stun gun or taser
5 or firearm or ballistic knife, when he or she is hooded,
6 robed or masked in such manner as to conceal his or her
7 identity; or

8 (10) Carries or possesses on or about his or her
9 person, upon any public street, alley, or other public
10 lands within the corporate limits of a city, village, or
11 incorporated town, except when an invitee thereon or
12 therein, for the purpose of the display of such weapon or
13 the lawful commerce in weapons, or except when on his land
14 or in his or her own abode, legal dwelling, or fixed place
15 of business, or on the land or in the legal dwelling of
16 another person as an invitee with that person's
17 permission, any pistol, revolver, stun gun, or taser or
18 other firearm, except that this subsection (a) (10) does
19 not apply to or affect transportation of weapons that meet
20 one of the following conditions:

21 (i) are broken down in a non-functioning state; or

22 (ii) are not immediately accessible; or

23 (iii) are unloaded and enclosed in a case, firearm
24 carrying box, shipping box, or other container by a
25 person who has been issued a currently valid Firearm
26 Owner's Identification Card; or

1 (iv) are carried or possessed in accordance with
2 the Firearm Concealed Carry Act by a person who has
3 been issued a currently valid license under the
4 Firearm Concealed Carry Act.

5 A "stun gun or taser", as used in this paragraph (a)
6 means (i) any device which is powered by electrical
7 charging units, such as, batteries, and which fires one or
8 several barbs attached to a length of wire and which, upon
9 hitting a human, can send out a current capable of
10 disrupting the person's nervous system in such a manner as
11 to render him incapable of normal functioning or (ii) any
12 device which is powered by electrical charging units, such
13 as batteries, and which, upon contact with a human or
14 clothing worn by a human, can send out current capable of
15 disrupting the person's nervous system in such a manner as
16 to render him incapable of normal functioning; or

17 (11) Sells, manufactures, or purchases any explosive
18 bullet. For purposes of this paragraph (a) "explosive
19 bullet" means the projectile portion of an ammunition
20 cartridge which contains or carries an explosive charge
21 which will explode upon contact with the flesh of a human
22 or an animal. "Cartridge" means a tubular metal case
23 having a projectile affixed at the front thereof and a cap
24 or primer at the rear end thereof, with the propellant
25 contained in such tube between the projectile and the cap;
26 or

1 (12) (Blank); or

2 (13) Carries or possesses on or about his or her
3 person while in a building occupied by a unit of
4 government, a billy club, other weapon of like character,
5 or other instrument of like character intended for use as
6 a weapon. For the purposes of this Section, "billy club"
7 means a short stick or club commonly carried by police
8 officers which is either telescopic or constructed of a
9 solid piece of wood or other man-made material; or

10 (14) Manufactures, possesses, sells, or offers to
11 sell, purchase, manufacture, import, transfer, or use any
12 device, part, kit, tool, accessory, or combination of
13 parts that is designed to and functions to increase the
14 rate of fire of a semiautomatic firearm above the standard
15 rate of fire for semiautomatic firearms that is not
16 equipped with that device, part, or combination of parts.

17 (b) Sentence. A person convicted of a violation of
18 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
19 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
20 Class A misdemeanor. A person convicted of a violation of
21 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony;
22 a person convicted of a violation of subsection 24-1(a)(6) or
23 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person
24 convicted of a violation of subsection 24-1(a)(7)(i) commits a
25 Class 2 felony and shall be sentenced to a term of imprisonment
26 of not less than 3 years and not more than 7 years, unless the

1 weapon is possessed in the passenger compartment of a motor
2 vehicle as defined in Section 1-146 of the Illinois Vehicle
3 Code, or on the person, while the weapon is loaded, in which
4 case it shall be a Class X felony. A person convicted of a
5 second or subsequent violation of subsection 24-1(a)(4),
6 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3
7 felony. A person convicted of a violation of subsection
8 24-1(a)(2.5) or 24-1(a)(14) commits a Class 2 felony. The
9 possession of each weapon or device in violation of this
10 Section constitutes a single and separate violation.

11 (c) Violations in specific places.

12 (1) A person who violates subsection 24-1(a)(6) or
13 24-1(a)(7) in any school, regardless of the time of day or
14 the time of year, in residential property owned, operated
15 or managed by a public housing agency or leased by a public
16 housing agency as part of a scattered site or mixed-income
17 development, in a public park, in a courthouse, on the
18 real property comprising any school, regardless of the
19 time of day or the time of year, on residential property
20 owned, operated or managed by a public housing agency or
21 leased by a public housing agency as part of a scattered
22 site or mixed-income development, on the real property
23 comprising any public park, on the real property
24 comprising any courthouse, in any conveyance owned, leased
25 or contracted by a school to transport students to or from
26 school or a school related activity, in any conveyance

1 owned, leased, or contracted by a public transportation
2 agency, or on any public way within 1,000 feet of the real
3 property comprising any school, public park, courthouse,
4 public transportation facility, or residential property
5 owned, operated, or managed by a public housing agency or
6 leased by a public housing agency as part of a scattered
7 site or mixed-income development commits a Class 2 felony
8 and shall be sentenced to a term of imprisonment of not
9 less than 3 years and not more than 7 years.

10 (1.5) A person who violates subsection 24-1(a)(4),
11 24-1(a)(9), or 24-1(a)(10) in any school, regardless of
12 the time of day or the time of year, in residential
13 property owned, operated, or managed by a public housing
14 agency or leased by a public housing agency as part of a
15 scattered site or mixed-income development, in a public
16 park, in a courthouse, on the real property comprising any
17 school, regardless of the time of day or the time of year,
18 on residential property owned, operated, or managed by a
19 public housing agency or leased by a public housing agency
20 as part of a scattered site or mixed-income development,
21 on the real property comprising any public park, on the
22 real property comprising any courthouse, in any conveyance
23 owned, leased, or contracted by a school to transport
24 students to or from school or a school related activity,
25 in any conveyance owned, leased, or contracted by a public
26 transportation agency, or on any public way within 1,000

1 feet of the real property comprising any school, public
2 park, courthouse, public transportation facility, or
3 residential property owned, operated, or managed by a
4 public housing agency or leased by a public housing agency
5 as part of a scattered site or mixed-income development
6 commits a Class 3 felony.

7 (2) A person who violates subsection 24-1(a)(1),
8 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
9 time of day or the time of year, in residential property
10 owned, operated or managed by a public housing agency or
11 leased by a public housing agency as part of a scattered
12 site or mixed-income development, in a public park, in a
13 courthouse, on the real property comprising any school,
14 regardless of the time of day or the time of year, on
15 residential property owned, operated or managed by a
16 public housing agency or leased by a public housing agency
17 as part of a scattered site or mixed-income development,
18 on the real property comprising any public park, on the
19 real property comprising any courthouse, in any conveyance
20 owned, leased or contracted by a school to transport
21 students to or from school or a school related activity,
22 in any conveyance owned, leased, or contracted by a public
23 transportation agency, or on any public way within 1,000
24 feet of the real property comprising any school, public
25 park, courthouse, public transportation facility, or
26 residential property owned, operated, or managed by a

1 public housing agency or leased by a public housing agency
2 as part of a scattered site or mixed-income development
3 commits a Class 4 felony. "Courthouse" means any building
4 that is used by the Circuit, Appellate, or Supreme Court
5 of this State for the conduct of official business.

6 (3) Paragraphs (1), (1.5), and (2) of this subsection
7 (c) shall not apply to law enforcement officers or
8 security officers of such school, college, or university
9 or to students carrying or possessing firearms for use in
10 training courses, parades, hunting, target shooting on
11 school ranges, or otherwise with the consent of school
12 authorities and which firearms are transported unloaded
13 enclosed in a suitable case, box, or transportation
14 package.

15 (4) For the purposes of this subsection (c), "school"
16 means any public or private elementary or secondary
17 school, community college, college, or university.

18 (5) For the purposes of this subsection (c), "public
19 transportation agency" means a public or private agency
20 that provides for the transportation or conveyance of
21 persons by means available to the general public, except
22 for transportation by automobiles not used for conveyance
23 of the general public as passengers; and "public
24 transportation facility" means a terminal or other place
25 where one may obtain public transportation.

26 (d) The presence in an automobile other than a public

1 omnibus of any weapon, instrument or substance referred to in
2 subsection (a) (7) is prima facie evidence that it is in the
3 possession of, and is being carried by, all persons occupying
4 such automobile at the time such weapon, instrument or
5 substance is found, except under the following circumstances:
6 (i) if such weapon, instrument or instrumentality is found
7 upon the person of one of the occupants therein; or (ii) if
8 such weapon, instrument or substance is found in an automobile
9 operated for hire by a duly licensed driver in the due, lawful
10 and proper pursuit of his or her trade, then such presumption
11 shall not apply to the driver.

12 (e) Exemptions.

13 (1) Crossbows, Common or Compound bows and Underwater
14 Spearguns are exempted from the definition of ballistic
15 knife as defined in paragraph (1) of subsection (a) of
16 this Section.

17 (2) The provision of paragraph (1) of subsection (a)
18 of this Section prohibiting the sale, manufacture,
19 purchase, possession, or carrying of any knife, commonly
20 referred to as a switchblade knife, which has a blade that
21 opens automatically by hand pressure applied to a button,
22 spring or other device in the handle of the knife, does not
23 apply to a person who possesses a currently valid Firearm
24 Owner's Identification Card previously issued in his or
25 her name by the Illinois State Police or to a person or an
26 entity engaged in the business of selling or manufacturing

1 switchblade knives.

2 (Source: P.A. 101-223, eff. 1-1-20; 102-538, eff. 8-20-21.)

3 (720 ILCS 5/24-1.9 new)

4 Sec. 24-1.9. Manufacture, possession, delivery, sale, and
5 purchase of assault weapons, .50 caliber rifles, and .50
6 caliber cartridges.

7 (a) Definitions. In this Section:

8 (1) "Assault pistol" means any of the following or a copy,
9 regardless of the producer or manufacturer:

10 (A) AA Arms AP-9 pistol.

11 (B) Armalite M15 11.5 pistol.

12 (C) Beretta 93R pistol.

13 (D) Bushmaster pistol.

14 (E) Claridge HI-TEC pistol.

15 (F) D Max Industries pistol.

16 (G) EKO Cobra pistol.

17 (H) Encom MK-IV, MP-9, or MP-45 pistol.

18 (I) Heckler and Koch MP5K, MP7, SP-89, or VP70M
19 pistol.

20 (J) Holmes MP-83 pistol.

21 (K) Ingram MAC 10/11 pistol and variations, including
22 the Partisan Avenger and the SWD Cobray.

23 (L) Intratec TEC-9/DC-9 pistol in any centerfire
24 variation.

25 (M) P.A.W.S. type pistol.

1 (N) Skorpion pistol.

2 (O) Spectre double action pistol (Sile, F.I.E.,
3 Mitchell).

4 (P) Stechkin automatic pistol.

5 (Q) Steyr tactical pistol.

6 (R) UZI pistol.

7 (S) Weaver Arms Nighthawk pistol.

8 (T) Wilkinson "Linda" pistol.

9 (2) "Assault shotgun or rifle" means any of the following
10 or a copy, regardless of the producer or manufacturer:

11 (A) American Arms Spectre da Semiautomatic carbine.

12 (B) AR10.

13 (C) AR15.

14 (D) AR70.

15 (E) Armalite M15.

16 (F) Avtomat Kalashnikov semiautomatic rifle in any
17 format, including the AK-47 in all forms.

18 (G) Algimec AGM-1 type semi-auto.

19 (H) AR 100 type semi-auto.

20 (I) AR 180 type semi-auto.

21 (J) Argentine L.S.R. semi-auto.

22 (K) Australian Automatic Arms SAR type semi-auto.

23 (L) Auto-Ordnance Thompson M1 and 1927
24 semi-automatics.

25 (M) Barrett light .50 cal. semi-auto.

26 (N) Beretta AR70 type semi-auto.

- 1 (O) Bushmaster semi-auto rifle.
- 2 (P) Calico models M-100 and M-900.
- 3 (Q) CIS SR 88 type semi-auto.
- 4 (R) Claridge HI TEC C-9 carbines.
- 5 (S) Colt AR-15, CAR-15, and all imitations.
- 6 (T) Daewoo MAX 1 and MAX 2, aka AR 100, 110C, K-1, and
7 K-2.
- 8 (U) Dragunov Chinese made semi-auto.
- 9 (V) Famas semi-auto (.223 caliber).
- 10 (W) Feather AT-9 semi-auto.
- 11 (X) FN LAR and FN FAL assault rifle.
- 12 (Y) FNC semi-auto type carbine.
- 13 (Z) F.I.E./Franchi LAW 12 and SPAS 12 assault shotgun.
- 14 (AA) Smith & Wesson M&P 15.
- 15 (BB) Steyr-AUG-SA semi-auto.
- 16 (CC) Galil models AR and ARM semi-auto.
- 17 (DD) Heckler and Koch HK-91 A3, HK-93 A2, HK-94 A2 and
18 A3.
- 19 (EE) Holmes model 88 shotgun.
- 20 (FF) Manchester Arms "Commando" MK-45, MK-9.
- 21 (GG) Mandell TAC-1 semi-auto carbine.
- 22 (HH) Mossberg model 500 Bullpup assault shotgun.
- 23 (II) Sterling Mark 6.
- 24 (JJ) P.A.W.S. carbine.
- 25 (KK) Ruger mini-14 folding stock model (.223 caliber).
- 26 (LL) SIG 550/551 assault rifle (.223 caliber).

- 1 (MM) SKS with detachable magazine.
- 2 (NN) AP-74 Commando type semi-auto.
- 3 (OO) Springfield Armory BM-59, SAR-48, G3, SAR-3, M-21
4 sniper rifle, and M1A, excluding the M1 Garand.
- 5 (PP) Street sweeper assault type shotgun.
- 6 (QQ) Striker 12 assault shotgun in all formats.
- 7 (RR) Unique F11 semi-auto type.
- 8 (SS) Daewoo USAS 12 semi-auto shotgun.
- 9 (TT) UZI 9mm carbine or rifle.
- 10 (UU) Valmet M-76 and M-78 semi-auto.
- 11 (VV) Weaver Arms "Nighthawk" semi-auto carbine.
- 12 (WW) Wilkinson Arms 9mm semi-auto "Terry".
- 13 (3) "Assault weapon" means:
- 14 (A) An assault shotgun or rifle.
- 15 (B) An assault pistol.
- 16 (C) A semiautomatic rifle that can accept or can be
17 modified to accept a detachable magazine and has at least
18 one of the following:
- 19 (i) A folding, telescoping, or collapsible stock.
- 20 (ii) Any grip of the weapon, including a pistol
21 grip, a thumbhole stock, or any other stock, the use of
22 which would allow an individual to grip the weapon,
23 resulting in any finger on the trigger hand in
24 addition to the trigger finger being directly below
25 any portion of the action of the weapon when firing.
- 26 (iii) A forward grip.

1 (iv) A flash suppressor.

2 (v) A grenade launcher or flare launcher.

3 (D) A semiautomatic, centerfire rifle that has an
4 overall length of less than 30 inches.

5 (E) A semiautomatic pistol that can accept a
6 detachable magazine and has at least one of the following:

7 (i) An ability to accept a detachable ammunition
8 magazine that attaches at some location outside of the
9 pistol grip.

10 (ii) A threaded barrel capable of accepting a
11 flash suppressor, forward pistol grip or silencer.

12 (iii) A shroud that is attached to, or partially
13 or completely encircles, the barrel and that permits
14 the shooter to fire the firearm without being burned,
15 except a slide that encloses the barrel.

16 (iv) A second hand grip.

17 (F) A semiautomatic shotgun that has at least one of
18 the following:

19 (i) A folding, telescoping, or collapsible stock.

20 (ii) Any grip of the weapon, including a pistol
21 grip, a thumbhole stock, or any other stock, the use of
22 which would allow an individual to grip the weapon,
23 resulting in any finger on the trigger hand in
24 addition to the trigger finger being directly below
25 any portion of the action of the weapon when firing.

26 (G) A semiautomatic shotgun that has the ability to

1 accept a detachable magazine.

2 (H) A shotgun with a revolving cylinder.

3 (I) A semiautomatic pistol with a fixed magazine that
4 can accept more than 12 rounds.

5 (J) A semiautomatic, centerfire rifle that has a fixed
6 magazine that can accept more than 12 rounds.

7 "Assault weapon" does not include:

8 (A) any firearm that:

9 (i) is an unserviceable firearm or has been made
10 permanently inoperable;

11 (ii) is an antique firearm; or

12 (iii) uses .22 caliber rimfire ammunition or
13 cartridges; or

14 (B) any air rifle as defined in Section 24.8-0.1 of
15 this Code.

16 In this Section, a firearm is considered to have the
17 ability to accept a detachable magazine unless the magazine or
18 ammunition feeding device can only be removed through
19 disassembly of the firearm action.

20 (4) "Assault weapon attachment" means any device capable
21 of being attached to a firearm that is specifically designed
22 for making or converting a firearm into any of the firearms
23 listed in paragraph (1) of this subsection (a).

24 (5) "Antique firearm" has the meaning ascribed to it in 18
25 U.S.C. 921(a)(16).

26 (6) ".50 caliber rifle" means a centerfire rifle capable

1 of firing a .50 caliber cartridge. The term does not include
2 any antique firearm, any shotgun including a shotgun that has
3 a rifle barrel, or any muzzle-loader which uses black powder
4 for hunting or historical reenactments.

5 (7) ".50 caliber cartridge" means a cartridge in .50 BMG
6 caliber, either by designation or actual measurement, that is
7 capable of being fired from a centerfire rifle. The term ".50
8 caliber cartridge" does not include any memorabilia or display
9 item that is filled with a permanent inert substance or that is
10 otherwise permanently altered in a manner that prevents ready
11 modification for use as live ammunition or shotgun ammunition
12 with a caliber measurement that is equal to or greater than .50
13 caliber.

14 (8) "Detachable magazine" means an ammunition feeding
15 device that can be removed readily from a firearm without
16 requiring disassembly of the firearm action or without the use
17 of a tool, including a bullet or cartridge.

18 (b) Except as provided in subsections (c), (d), and (e),
19 on or after the effective date of this amendatory Act of the
20 102nd General Assembly, it is unlawful for any person within
21 this State to knowingly manufacture, deliver, sell, or
22 purchase or cause to be manufactured, delivered, sold, or
23 purchased by another, an assault weapon, assault weapon
24 attachment, .50 caliber rifle, or .50 caliber cartridge.

25 (c) Except as otherwise provided in subsection (d), 300
26 days after the effective date of this amendatory Act of the

1 102nd General Assembly, it is unlawful for any person within
2 this State to knowingly possess an assault weapon, .50 caliber
3 rifle, assault weapon attachment, or .50 caliber cartridge.

4 (d) This Section does not apply to a person who possessed
5 an assault weapon, assault weapon attachment, or .50 caliber
6 rifle prohibited by subsection (c) of this Section before the
7 effective date of this amendatory Act of the 102nd General
8 Assembly, if the person has provided in an endorsement
9 affidavit, under oath or affirmation and in the form and
10 manner prescribed by the Illinois State Police on or after 180
11 days after the effective date of this amendatory Act of the
12 102nd General Assembly but within 300 days after the effective
13 date of this amendatory Act of the 102nd General Assembly:

14 (1) the affiant's Firearm Owner's Identification Card
15 number;

16 (2) the serial number of the weapon or weapons;

17 (3) an affirmation that the affiant possessed the
18 weapon or weapons identified before the effective date of
19 this amendatory Act of the 102nd General Assembly.

20 The affidavit form shall include the following statement
21 printed in bold type: "Warning: Entering false information on
22 this form is punishable as perjury under Section 32-2 of the
23 Criminal Code of 2012. Entering false information on this form
24 is a violation of the Firearm Owners Identification Card Act."

25 In any administrative, civil, or criminal proceeding in
26 this State, a completed assault weapon or .50 caliber rifle

1 endorsement affidavit submitted to the Illinois State Police
2 by the individual as required by this Section creates the
3 rebuttable presumption that a person lawfully possessed or had
4 completed a purchase of the assault weapon or .50 caliber
5 rifle before the effective date of this amendatory Act of the
6 102nd General Assembly and is entitled to continue to possess
7 and transport the assault weapon.

8 Beginning 300 days after the effective date of this
9 amendatory Act of the 102nd General Assembly, the person with
10 an assault weapon or .50 caliber rifle endorsement may
11 transfer the assault weapon or .50 caliber rifle only to an
12 heir, an individual residing in another state maintaining it
13 in another state, or a dealer licensed as a federal firearms
14 dealer under Section 923 of the federal Gun Control Act of
15 1968. Within 10 days after transfer of the weapon except to an
16 heir, the person shall notify the Illinois State Police of the
17 name and address of the transferee and comply with the
18 requirements of subsection (b) of Section 3 of the Firearm
19 Owners Identification Card Act. If a resident of this State,
20 the heir to whom the weapon is transferred shall, within 60
21 days of the transfer, complete an affidavit required under
22 this Section. A person to whom the weapon is transferred may
23 transfer it only as provided in this subsection.

24 Except for any active-duty member of the United States
25 military who is transferred into this State on or after the
26 effective date of this amendatory Act of the 102nd General

1 Assembly, any person who moves into this State in possession
2 of an assault weapon shall render the assault weapon or .50
3 caliber rifle permanently inoperable, sell the assault weapon
4 or .50 caliber rifle to a federally licensed firearm dealer
5 outside of this State, or remove the assault weapon or .50
6 caliber rifle from this State.

7 Notwithstanding any other law, information contained in
8 the endorsement affidavit shall be confidential and shall not
9 be disclosed, except to law enforcement agencies acting in the
10 performance of their duties.

11 (e) This Section does not apply to or affect any of the
12 following:

13 (1) Peace officers, as defined in Section 2-13 of this
14 Code.

15 (2) Retired or separated Illinois State Police
16 officers, municipal peace officers, and sheriff's deputies
17 who retired or separated from their respective law
18 enforcement agencies in good standing after 10 or more
19 years of service.

20 (3) Acquisition and possession by a local law
21 enforcement agency for the purpose of equipping the
22 agency's peace officers as defined in paragraph (1) of
23 this subsection (f).

24 (4) Wardens, superintendents, and keepers of prisons,
25 penitentiaries, jails, and other institutions for the
26 detention of persons accused or convicted of an offense.

1 (5) Members of the Armed Services or Reserve Forces of
2 the United States or the Illinois National Guard, while
3 performing their official duties or while traveling to or
4 from their places of duty.

5 (6) Any company that employs armed security officers
6 in this State at a nuclear energy, storage, weapons, or
7 development site or facility regulated by the federal
8 Nuclear Regulatory Commission and any person employed as
9 an armed security force member at a nuclear energy,
10 storage, weapons, or development site or facility
11 regulated by the federal Nuclear Regulatory Commission who
12 has completed the background screening and training
13 mandated by the rules and regulations of the federal
14 Nuclear Regulatory Commission and while performing
15 official duties.

16 (7) Manufacture, transportation, or sale of weapons,
17 attachments, or ammunition to persons authorized under
18 subdivisions (1) through (6) of this subsection (e) to
19 possess those items.

20 (8) Possession of any firearm if that firearm is
21 sanctioned by the International Olympic Committee and by
22 USA Shooting, the national governing body for
23 international shooting competition in the United States,
24 but only when the firearm is in the actual possession of an
25 Olympic target shooting competitor or target shooting
26 coach for the purpose of storage, transporting to and from

1 Olympic target shooting practice or events if the firearm
2 is broken down in a nonfunctioning state, is not
3 immediately accessible, or is unloaded and enclosed in a
4 firearm case, carrying box, shipping box, or other similar
5 portable container designed for the safe transportation of
6 firearms, and when the Olympic target shooting competitor
7 or target shooting coach is engaging in those practices or
8 events. For the purposes of this paragraph (8), "firearm"
9 has the meaning provided in Section 1.1 of the Firearm
10 Owners Identification Card Act.

11 (9) Any nonresident who transports, within 24 hours, a
12 weapon for any lawful purpose from any place where the
13 nonresident may lawfully possess and carry that weapon to
14 any other place where the nonresident may lawfully possess
15 and carry that weapon if, during the transportation, the
16 weapon is unloaded, and neither the weapon nor any
17 ammunition being transported is readily accessible or is
18 directly accessible from the passenger compartment of the
19 transporting vehicle. In the case of a vehicle without a
20 compartment separate from the driver's compartment, the
21 weapon or ammunition shall be contained in a locked
22 container other than the glove compartment or console.

23 (10) Possession of a weapon at an event taking place
24 at the World Shooting and Recreational Complex at Sparta,
25 only while engaged in the legal use of the weapon, or while
26 traveling to or from that location if the weapon is broken

1 down in a nonfunctioning state, is not immediately
2 accessible, or is unloaded and enclosed in a firearm case,
3 carrying box, shipping box, or other similar portable
4 container designed for the safe transportation of
5 firearms.

6 (11) Possession of a weapon only for hunting use
7 expressly permitted under the Wildlife Code, or while
8 traveling to or from a location authorized for this
9 hunting use under the Wildlife Code if the weapon is
10 broken down in a nonfunctioning state, is not immediately
11 accessible, or is unloaded and enclosed in a firearm case,
12 carrying box, shipping box, or other similar portable
13 container designed for the safe transportation of
14 firearms.

15 (12) The manufacture, transportation, possession,
16 sale, or rental of blank-firing assault weapons and .50
17 caliber rifles, or the weapon's respective attachments, to
18 persons authorized or permitted, or both authorized and
19 permitted, to acquire and possess these weapons or
20 attachments for the purpose of rental for use solely as
21 props for a motion picture, television, or video
22 production or entertainment event.

23 Any person not subject to this Section may submit an
24 endorsement affidavit if the person chooses.

25 (f) Sentence.

26 (1) A person who knowingly manufactures, delivers,

1 sells, purchases, or possesses or causes to be
2 manufactured, delivered, sold, purchased, or possessed an
3 assault weapon in violation of this Section commits a
4 Class 3 felony for a first violation and a Class 2 felony
5 for a second or subsequent violation or for the possession
6 or delivery of 2 or more of these weapons at the same time.

7 (2) A person who knowingly manufactures, delivers,
8 sells, purchases, or possesses or causes to be
9 manufactured, delivered, sold, purchased, or possessed in
10 violation of this Section an assault weapon attachment
11 commits a Class 4 felony for a first violation and a Class
12 3 felony for a second or subsequent violation.

13 (3) A person who knowingly manufactures, delivers,
14 sells, purchases, or possesses or causes to be
15 manufactured, delivered, sold, purchased, or possessed in
16 violation of this Section a .50 caliber rifle commits a
17 Class 3 felony for a first violation and a Class 2 felony
18 for a second or subsequent violation or for the possession
19 or delivery of 2 or more of these weapons at the same time.

20 (4) A person who knowingly manufactures, delivers,
21 sells, purchases, or possesses or causes to be
22 manufactured, delivered, sold, purchased, or possessed in
23 violation of this Section a .50 caliber cartridge commits
24 a Class A misdemeanor.

25 (5) Any other violation of this Section is a Class A
26 misdemeanor.

1 (g) The Illinois State Police shall take all steps
2 necessary to carry out the requirements of this Section within
3 180 days after the effective date of this amendatory Act of the
4 102nd General Assembly.

5 (720 ILCS 5/24-1.10 new)

6 Sec. 24-1.10. Manufacture, delivery, or sale of large
7 capacity ammunition feeding devices.

8 (a) In this Section:

9 "Large capacity ammunition feeding device" means:

10 (1) a magazine, belt, drum, feed strip, or similar
11 device that has a capacity of, or that can be readily
12 restored or converted to accept, more than 12 rounds of
13 ammunition; or

14 (2) any combination of parts from which a device
15 described in paragraph (1) can be assembled.

16 "Large capacity ammunition feeding device" does not
17 include an attached tubular device designed to accept, and
18 capable of operating only with, .22 caliber rimfire
19 ammunition. "Large capacity ammunition feeding device" does
20 not include a tubular magazine that is contained in a
21 lever-action firearm or any device that has been made
22 permanently inoperable.

23 (b) Except as provided in subsection (c) and (d), it is
24 unlawful for any person within this State to knowingly
25 manufacture, deliver, sell, purchase, or possess or cause to

1 be manufactured, delivered, sold, or purchased a large
2 capacity ammunition feeding device.

3 (c) This Section does not apply to any person who
4 possesses a large capacity ammunition feeding device if,
5 within 90 days of the effective date of this amendatory Act of
6 the 102nd General Assembly, the person:

7 (1) permanently modifies the large capacity ammunition
8 feeding device such that it cannot hold more than 12
9 rounds of ammunition;

10 (2) surrenders the large capacity ammunition feeding
11 device to Illinois State Police or another law enforcement
12 agency within this State in accordance with the procedures
13 for surrender of weapons set forth by the law enforcement
14 agency; or

15 (3) transfers or sells the large capacity ammunition
16 feeding device to a federally licensed firearm dealer or
17 person or firm outside of this State that is lawfully
18 entitled to own or possess such a device.

19 (d) This Section does not apply to or affect any of the
20 following:

21 (1) Peace officers as defined in Section 2-13 of this
22 Code.

23 (2) A local law enforcement agency for the purpose of
24 equipping the agency's peace officers as defined in
25 paragraph (1) of this subsection (d).

26 (3) Wardens, superintendents, and keepers of prisons,

1 penitentiaries, jails, and other institutions for the
2 detention of persons accused or convicted of an offense.

3 (4) Members of the Armed Services or Reserve Forces of
4 the United States or the Illinois National Guard, while
5 their official duties or while traveling to or from their
6 places of duty.

7 (5) Any company that employs armed security officers
8 in this State at a nuclear energy, storage, weapons, or
9 development site or facility regulated by the federal
10 Nuclear Regulatory Commission and any person employed as
11 an armed security force member at a nuclear energy,
12 storage, weapons, or development site or facility
13 regulated by the federal Nuclear Regulatory Commission who
14 has completed the background screening and training
15 mandated by the rules and regulations of the federal
16 Nuclear Regulatory Commission and while performing
17 official duties.

18 (6) Sale of large capacity ammunition feeding devices
19 to persons authorized under subdivisions (1) through (5)
20 of this subsection (d) to possess those devices.

21 (7) Sale or rental of large capacity ammunition
22 feeding devices for blank-firing assault weapons and .50
23 caliber rifles, to persons authorized or permitted, or
24 both authorized and permitted, to acquire these devices
25 for the purpose of rental for use solely as props for a
26 motion picture, television, or video production or

1 entertainment event.

2 (d) Sentence. A person who knowingly delivers, sells,
3 purchases, or causes to be delivered, sold, or purchased in
4 violation of this Section a large capacity ammunition feeding
5 device capable of holding more than 12 rounds of ammunition
6 commits a petty offense with a fine of \$1,000 for a first
7 violation and a Class 4 felony for a second or subsequent
8 violation or for delivery or possession of 3 or more of these
9 devices at the same time. Any other violation of this Section
10 is a Class A misdemeanor.

11 Section 97. Severability. The provisions of this Act are
12 severable under Section 1.31 of the Statute on Statutes.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.".